UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
ADDY, THJUAN KNOWLIN

ART UNIT	PAPER NUMBER
2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 July 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-50* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 December 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment filed on July 08, 2008 has been entered. Claims 1, 2, 11,

12, 18, 21, 25, 26, 30, 32, 34, 37, 41, and 50 have been amended. No claims have

been cancelled. No claims have been added. Claims 1-50 are still pending in this

application, with claims 1, 11, 21, 32, 37, 41, and 50 being independent.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gray et al. (US Patent Application, Pub. No.: US 2004/0028197 A1), in view of Denton

et al. (US 7,295,669).

3.   In regards to claims 1, 11, 21, 32, 37, 41, and 50, Gray discloses a presence

notification method, in a system, media session, call routing method, call transfer

method, and PBX call control method comprising a private branch exchange (PBX)

(See Fig. 1, Fig. 5, and PBX 5) a first PBX phone (See Fig. 5 and device 17), the

presence notification method comprising the steps of: receiving from the PBX a first

message indicating an off-hook state of the first PBX phone; consulting a subscriber

table (See Fig. 1 and Availability Client 13) including an identity (e.g., name and availability) of one or more presence-state subscribers; and transmitting a second message to at least one of the one or more presence-state subscribers indicating the off-hook state of the first PBX phone (See pg. 1, paragraph [0004]; pg. 2, paragraph [0027]; pg. 3, paragraph [0036]; and pg. 3, paragraph [0039]). Gray, however, does not disclose a computer associated with the first PBX phone, with the computer including a PBX Messing Integration Client (PMIC), with the PMIC associated with an individual and receiving at the computer from the PBX a first message indicating an off-hook state of the first PBX phone. Denton, however, does disclose a computer associated with the first PBX phone, with the computer including a PBX Messing Integration Client (PMIC) (for example, the flow connection module 204 and 209 may read on the recited PMIC), with the PMIC associated with an individual (See Abstract, col. 4 lines 12-28, and col. 6-7 lines 54-17) and receiving at the computer from the PBX a first message indicating an off-hook state of the first PBX phone (See col. 12 lines 8-41). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these limitations within the method and system, as a way of providing telephone and data flow connections among call-handling applications belonging to each telephone.

4.   In regards to claim 2, Gray discloses the presence notification method, wherein the computer interface is resident in an Internet Protocol (IP) network (See Fig. 1 and pg. 1, paragraph [0008]).

5.   In regards to claim 3, Gray discloses the presence notification method, wherein the second message is a presence-state message (See pg. 1-2, paragraph [0013] and

pg. 2, paragraph [0015]).

6.   In regards to claim 4, Gray discloses the presence notification method, wherein

the presence-state message is a session initiation protocol (SIP) instant message (See

pg. 2, paragraph [0015]).

7.   In regards to claim 5, Gray discloses the presence notification method, wherein

first message is a computer telephony integration (CTI) event message (See pg. 4,

paragraph [0091]).

8.   In regards to claim 6, Gray discloses all of claim 6 limitations, except the presence

notification method, wherein the CTI event message is generated using a protocol

selected from the group consisting of: Telephony Application Programming Interface

(TAPI) protocol, Telephony Services Application Programming Interface (TSAPI)

protocol, and the Computer Supported Telecommunications Applications (CSTA)

protocol.   Mason, however, does disclose the presence/state notification (See pg. 4,

paragraph [0037]), wherein the CTI event message is generated using a Computer

Supported Telecommunications Applications (CSTA) protocol (See pg. 3, paragraph

[0032]). Therefore, it would have been obvious for one of ordinary skill in the art at the

time of the invention to incorporate these features, such as a TAPI protocol, a TSAPI

protocol, and a CSTA protocol within the method, as a way of handling or controlling a

call in order for a server to communicate with the PBX.

9.   In regards to claim 7, Gray discloses the presence notification method, wherein

the CTI event message is received indirectly via a CTI server (See pg. 4, paragraph

[0091]).

10.   In regards to claim 8, Gray discloses the presence notification method, wherein
second message is an on-phone presence-state notification message (See pg. 1,
paragraph [0004]).

11.   In regards to claim 9, Gray discloses the presence notification method, wherein
the method further comprises, prior to the receiving step, the step of transmitting to the
PBX a registration event message comprising a network address for the computer
interface (See Fig. 5 and pg. 3, paragraph [0039]).

12.   In regards to claim 10, Gray discloses the presence notification method, wherein
the method further includes the steps of: receiving from the PBX a third message
indicating an on-hook state of the first PBX phone; and transmitting a fourth message to
at least one of the one or more presence-state subscribers indicating the on-hook state
of the first PBX phone (See pg. 2, paragraph [0027] and pg. 3, paragraph [0036]).

13.   In regards to claim 12, Gray discloses the media session, wherein the first
message comprises an extension number associated with a second PBX phone used
by the first computer interface to generate the second message (See pg. 2, paragraph
[0015] – [0016]).

14.   In regards to claim 13, Gray discloses the media session, wherein the second
message comprises a universal resource identifier with an extension number of the
second PBX phone (See pg. 2, paragraph [0015] – [0016]).

15.   In regards to claim 14, Gray discloses the media session, wherein the media
session is a concurrent media session conducted in parallel with telephonic
communication between the first PBX phone and the second PBX phone (See pg. 1,

paragraph [0004]).

16.   In regards to claim 15, Gray discloses the media session, wherein the media

session is selected from the group consisting of: an instant message session, a text

chat session, a multimedia session, a computer GUI interface sharing session, and a

combination thereof (See pg. 1, paragraph [0002]).

17.   In regards to claim 16, Gray discloses the media session, wherein the media

session is a SIP session (See pg. 2, paragraph [0015]).

18.   In regards to claim 17, Gray discloses the media session, wherein the media

session is a text chat session (See pg. 1, paragraph [0002]).

19.   In regards to claim 18, Gray discloses the media session, wherein users at the

first computer interface and second computer interface may manually escalate from the

text chat session to a second media session (See pg. 1, paragraph [0002]).

20.   In regards to claim 19, Gray discloses the media session, wherein the first

message is a CTI event message (See pg. 4, paragraph [0091]).

21.   In regards to claim 20, Gray discloses the media session, wherein the step of

determining whether the media session request has been accepted comprises the step

of receiving an SIP OK message (See pg. 2, paragraph [0015]).

22.   In regards to claim 22, Gray discloses the call routing method, wherein the group

of messages comprises a message answering the incoming call (See pg. 5, paragraph

[0103]).

23.   In regards to claim 23, Gray discloses the call routing method, wherein the group

of messages comprises a message causing the PBX to discontinue a ring signal to the

first PBX phone (See pg. 5, paragraph [0103] and pg. 5, paragraph [0111]).

24.   In regards to claim 24, Gray discloses the call routing method, wherein the group

of messages comprises a message causing the PBX to transfer the incoming call to a

second PBX phone (See pg. 5, paragraph [0111]).

25.   In regards to claim 25, Gray discloses the call routing method, wherein the group

of messages comprises a message causing the PBX to transfer the incoming call to the

first computer interface (See pg. 5, paragraph [0103] and pg. 5, paragraph [0111]).

26.   In regards to claim 26, Gray discloses the call routing method, wherein the method

further includes the step of establishing a voice-over-IP session between the PBX and

the first computer interface (See pg. 1, paragraph [0008]).

27.   In regards to claim 27, Gray discloses the call routing method, wherein the group

of messages comprises a message causing the PBX to transfer the incoming call to a

client (See pg. 5, paragraph [0111]).

28.   In regards to claim 28, Gray discloses the call routing method, wherein the client is

a SIP user agent operatively coupled to the system (See pg. 2, paragraph [0015]).

29.   In regards to claim 29, Gray discloses the call routing method, wherein the group

of messages comprises a message causing the PBX to terminate the incoming call and

transmit an instant message (See pg. 1, paragraph [0002]).

30.   In regards to claim 30, Gray discloses the call routing method, wherein the instant

message is directed to a second computer interface identified based upon a phone

number associated with the incoming call (See pg. 1, paragraph [0002]).

31.   In regards to claim 31, Gray discloses the call routing method, wherein the call

routing table comprises call processing rules structured as a function of the time and the day the incoming call is received, the telephone number or extension associated with the incoming call, and the presence-state of the user associated with the first PBX phone (See pg. 6-7, paragraph [0138] and pg. 7, paragraph [0139]).

32.   In regards to claim 33, Gray discloses the call transfer method, wherein the first message is a CTI event message (See pg. 4, paragraph [0091]).

33.   In regards to claim 34, Gray discloses the call transfer method, wherein the first message comprises a universal resource identifier associated with the first computer interface (See pg. 2, paragraph [0015] – [0016]).

34.   In regards to claim 35, Gray discloses the call transfer method, wherein the step of establishing a voice-over-IP session comprises the steps of: receiving a voice-over-IP session request message from the PBX; and transmitting a voice-over-IP session acceptance message (See pg. 1, paragraph [0008]).

35.   In regards to claim 36, Gray discloses the call transfer method, wherein the session request message is an SIP INVITE message and the session acceptance message is an SIP OK message (See pg. 2, paragraph [0015]).

36.   In regards to claim 38, Gray discloses the call transfer method, wherein the first message is a CTI event message (See pg. 4, paragraph [0091]).

37.   In regards to claim 39, Gray discloses the call transfer method, wherein the first message comprises an extension number associated with the first PBX phone (See pg. 2, paragraph [0015] – [0016]).

38.   In regards to claim 40, Gray discloses the call transfer method, wherein the step of

establishing the voice-over-IP session comprises the step of transmitting a private

digital signals and voice (PDSV) signal to the first PBX phone (See pg. 1, paragraph

[0008]).

39.   In regards to claim 42, Gray discloses the PBX call control method, wherein the

first message is a CTI event message (See pg. 4, paragraph [0091).

40.   In regards to claim 43, Gray discloses the PBX call control method, wherein the

first message is a call hold command instructing the PBX to place the telephone call

associated with the first PBX phone on hold (See pg. 6, paragraph [0119]).

41.   In regards to claim 44, Gray discloses the PBX call control method, wherein the

first message is a call forward command instructing the PBX to transfer the telephone

call associated with the first PBX phone to second phone (See pg. 5, paragraph [0111]).

42.   In regards to claim 45, Gray discloses the PBX cal control method, wherein the

second phone is a second PBX phone (See Fig. 5 and device 17).

43.   In regards to claim 46, Gray discloses the PBX call control method, wherein the

second phone is a voice-over-IP client (See pg. 1, paragraph [0008]).

44.   In regards to claim 47, Gray discloses the PBX call control method, further

comprising the steps of: transmitting to the PBX a first message for forwarding the

telephone call associated with the first PBX phone to a voice-over-IP client; establishing

a voice-over-IP session between the PBX and the voice-over-IP client; and directing the

telephone call to first PBX phone to the first computer interface via the voice-over-IP

session (See pg. 1, paragraph [0008]).

45.   In regards to claim 48, Gray discloses the PBX call control method, wherein the

call control message is an answer call command instructing the PBX to answer the

telephone call using a second device (See pg. 5, paragraph [0111]).

46.   In regards to claim 49, Gray discloses the PBX call control method, wherein the

second device is a second PBX phone (See Fig. 5 and device 17).

Response to Arguments

47.   Applicant's arguments with respect to claims 1-50 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

48.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

49.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

50.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

51.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

52.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/
Primary Examiner, Art Unit 2614